

1653

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|---|--|---------------------|
| <b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b><br>(Under 37 CFR 1.97(b) or 1.97(c)) |  | Docket No.<br>14797 |
|---|--|---------------------|

In Re Application Of: **Jose Repolles Moliner, et al.**

|                          |                               |                       |                        |
|--------------------------|-------------------------------|-----------------------|------------------------|
| Serial No.<br>09/912,164 | Filing Date<br>March 16, 2001 | Examiner<br>D. Lukton | Group Art Unit<br>1653 |
|--------------------------|-------------------------------|-----------------------|------------------------|

Title: **S-NITROSOTHIOLS AS AGENTS FOR THE TREATMENT OF CIRCULATORY DYSFUNCTIONS**

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Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☒ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
14797

In Re Application: **Jose Repolles Moliner, et al.**

Serial No.

09/912,164

Filing Date

March 16, 2001

Examiner

D. Lukton

Group Art Unit

1653

**S-NITROSOTHIOLS AS AGENTS FOR THE TREATMENT OF CIRCULATORY DYSFUNCTIONS**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/ssmp** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

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Signature

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on **7/3/03** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Mark J. Cohen

Typed or Printed Name

\*This certificate may only be used if paying by deposit account.

Signature

Dated: **July 3, 2003**

**Mark J. Cohen**

**Registration No. 32,211**

**Scully, Scott, Murphy & Presser**

**400 Garden City Plaza**

**Garden City, NY 11530**

**(516) 742-4343**

CC:



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Jose Repolles Moliner, et al.

**Examiner:** D. Lukton

**Serial No:** 09/912,164

**Art Unit:** 1653

**Filed:** March 16, 2001

**Docket:** 14797

**For:** S-NITROSOTHIOLS AS AGENTS FOR  
THE TREATMENT OF CIRCULATORY  
DYSFUNCTIONS

**Dated:** July 2, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

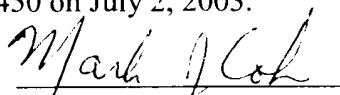
1. Abstract of Russian Patent No. 2119332, published September 27, 1998, which according to the databases is the same as Russian Patent No. 95108432 A1;
2. Russian Patent No. 2046798, published October 27, 1995, with English language abstract;
3. Abstract of Russian Patent No. 2142469;
4. Russian Patent No. 96121403, published February 10, 1999;

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 2, 2003.

Dated: July 2, 2003

  
Mark J. Cohen

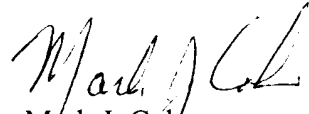
5. Abstract of Russian Patent No. 2142939, published December 20, 1999;
6. European Patent Application No. 0330094, published August 30, 1989, with English language abstract; and
7. Russian Patent No. 2106357, published March 16, 1994, with English language abstract.

References 1-5 were cited in a Search Report received from the Georgian Patent Office Patent Office. Applicants are submitting copies of the above-cited references, or abstracts thereof along with a copy of the Search Report in the English language. The relevance of the above-identified references has been described in the Search Report. There are three additional references listed on the Search Report which are European Patent Application No. 412699A, United States Patent No. 5,187,305 and PCT Application No. 95/07691 were already made of record in the above-identified case in an Information Disclosure Statement filed in the United States Patent and Trademark Office on July 24, 2001.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits an English language version of the Search Report which indicates the degree of relevance found by the foreign patent office. This submission satisfies the concise explanation of relevance required by 37 C.F.R. §1.97(a)(3). See MPEP §609(a)(3).

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. §1.97(c), the \$180.00 fee is enclosed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mark J. Colzen", written in a cursive style.

Mark J. Colzen

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(516) 742-4343

MJC:lf

Atty. Docket No.  
14797

Serial No.  
09/912,164

**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)

Applicant  
Jose Repolles Moliner, et al.

Filing Date  
March 16, 2001

Group  
1653

**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL* |    | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>(if appropriate) |
|----------------------|----|-----------------|------|------|-------|----------|---------------------------------|
|                      | AA |                 |      |      |       |          |                                 |
|                      | AB |                 |      |      |       |          |                                 |
|                      | AC |                 |      |      |       |          |                                 |
|                      | AD |                 |      |      |       |          |                                 |
|                      | AE |                 |      |      |       |          |                                 |

|  |  | Foreign<br>Document Number | Date     | Country | CLASS | SUBCLASS | TRANSLATION |    |
|--|--|----------------------------|----------|---------|-------|----------|-------------|----|
|  |  |                            |          |         |       |          | YES         | NO |
|  |  | 2046798                    | 10/27/95 | Russia  |       |          |             | X  |
|  |  | 96121403                   | 2/10/99  | Russia  |       |          |             | X  |
|  |  | 0330094                    | 8/30/89  | EPO     |       |          |             | X  |
|  |  | 2106357                    | 3/16/94  | Russia  |       |          |             | X  |
|  |  |                            |          |         |       |          |             |    |
|  |  |                            |          |         |       |          |             |    |
|  |  |                            |          |         |       |          |             |    |
|  |  |                            |          |         |       |          |             |    |
|  |  |                            |          |         |       |          |             |    |

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

|  |   |
|--|---|
|  | Abstract of Russian Patent No. 2119332, published September 27, 1998, which is the same as Russian Patent No. 95108432 A1 |
|  | Abstract of Russian Patent No. 2142469  |
|  | Abstract of Russian Patent No. 2142939, published December 20, 1999   |
|  |   |
|  |   |

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.